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February 27, 2002

Via Facsimile (410) 962-2577 and First Class Mail

Chambers of Judge William M. Nickerson
United States District Court
101 W. Lombard Street
Baltimore Maryland 21201

Re: Great American Insurance Co. v. Glenn E. Waltz Plumbing & Heating, Inc.
Civil Action No. WMN-01-2738

Dear Sir:

In a conference call with Judge Nickerson's law clerk this morning, all counsel in the above matter jointly requested that the above case be referred to a Magistrate Judge as a neutral for a mediation / ADR. The parties agree that the Court may issue an Order referring the matter to a Magistrate Judge, who will then contact the parties concerning the schedule for the mediation / ADR. The Order will authorize the Magistrate Judge to modify the Scheduling Order in this case to allow for completion of discovery by both sides in the event that the mediation / ADR is not successful.

With respect the Plaintiff's pending Motion for Modification of Scheduling Order, the parties have agreed that the Court may Order a 30-day enlargement to the currently-scheduled discovery cut-off date and the interim dates leading up to it. The parties also agree that the Magistrate Judge shall have authority to grant a further modification to the Scheduling Order to allow for completion of discovery after the mediation / ADR. Plaintiff-Counter Defendant Great American Insurance Company reserves the right to seek an additional enlargement of time in the event that the mediation does not resolve this case.

Very truly yours,

Daniel J. Donohue
Daniel J. Donohue

William R. Levasseur, Jr.
William R. Levasseur, Jr.

/kag

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" APPROVED " THIS 1st DAY
OF March, 2002
William M. Nickerson
UNITED STATES DISTRICT JUDGE